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SUBJECT: HOLY SEE COMMENTS ON MILITARY COMMISSIONS ACT

REF: 06 STATE 164628

¶1. (SBU) Per reftel, in October of last year post delivered points on the Military Commissions Act to various officials in the Holy See. On January 9 a reply was received from Cardinal Renato Martino, an influential and outspoken figure who heads the Pontifical Council for Justice and Peace. Martino's reply thanked post for the information -- the substantive paragraph of his letter is quoted in para 2.

¶2. (SBU) Begin text:

The Pontifical Council for Justice and Peace considers with favour the Military Commissions Act which affirms the applicability of common article 3 of the Geneva Conventions to terrorists -- following the important Supreme Court's Hamdan decision -- and confirms the United States' aim to reach the fullest adherence of the national detainee policy to the international human rights standards and humanitarian law. In particular, the bill strengthens the legal basis for the detention and trial of terrorists. As emphasized by President Bush "military commissions will provide a fair trial, in which the accused are presumed innocent, have access to an attorney, and can hear all the evidence against them" (Address at the White House, 17 October 2006). This is a noble commitment and a valuable step towards a balance between the need of security and the protection of the rights of every human being.
End text.

SANDROLINI